

Appl. No. 09/966,696

### REMARKS

This Response is submitted in reply to the Office Action dated December 12, 2002. Claims 20 and 21 were allowed. Claims 1, 13, 17 and 22 have been amended. Claims 15 and 16 have been cancelled and new Claims 26 to 53 have been added. No new matter has been added by any of these amendments. A check in the amount of [\$ ] is submitted to cover the fees for the new claims in this Response. Please charge Deposit Account No. 02-1818 for any insufficiency or to credit any overpayment.

Claims 1 and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by an article in the book entitled "Slot Machines" written by Marshall Fey ("Fey"). Claims 1 and 22 were also rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,003,013 to Boushy, et al ("Boushy"). Claims 1 to 5, 7, 11 to 15, 18 to 19 and 22 to 25 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Document No. 10-052558 to Takatoshi, et al. ("Takatoshi"). Additionally, Claims 2 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boushy* in view of U.S. Patent No. 6,161,805 to Wells ("Wells"). Claims 2 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fey* in view of *Wells*.

Claims 6, 8 to 10 and 16 to 17 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As discussed during the interview, amended Claim 1 is directed to a gaming device including a cabinet, a support connected to the cabinet and a combined container-item holder. The combined container-item holder is connected to the support and includes a container holder and an item holder, wherein the item holder is

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connected to the container holder. The item holder includes means for enabling a player to securely and removably connect an item to the item holder. As discussed during the telephone interview, the word "combined" has been inserted before the term "container-item holder" to clarify that the container-item holder includes *both* a container holder and an item holder connected to the container holder. The combined container-item holder holds both a container such as a drink container of the player and an item such as a purse or shopping bag of a player. (See Figs. 1, 5, 8, 9 and 10 in the present patent application). With these clarifications, it is respectfully submitted that amended Claim 1 is patentably distinguished over *Fey*, *Boushy* and *Takatoshi*.

*Fey* discloses slot machines having container holders such as cup holder, and gaming machines having separate item holders such as coin trays. *Fey* does not disclose, teach or suggest a gaming device including a combined container-item holder which includes a container holder and an item holder connected to the container holder where said item holder includes means to enable a player to securely and removably connect an item to the item holder.

*Boushy* discloses a gaming machine including a cup-like holder which is connected to a support of the gaming machine. (See Fig. 13 of *Boushy*) The cup-like holder, is not a combined container-item holder which includes a container holder and an item holder connected to the container holder where said item holder includes means for enabling a player to securely and removably connect an item to the item holder.

*Takatoshi* discloses a tray member for a game machine. The tray member includes a main body 20 having a clip 31 which enables the main body to be clipped

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onto or attached to a support such as a top plate B. (See Fig. 2 of *Takatoshi*) The main body 20 includes a cup holder 21, an accessories area 22, a coin holder 23 and a hand rest 24. *Takatoshi* does not disclose, teach or suggest a combined container-item holder for a gaming device which includes a container holding portion and an item holding portion connected to the container holding portion where the item holding portion includes means for enabling a player to securely and removably connect an item of the player to the item holder. *Takatoshi* does not disclose, teach or suggest the combination of elements of amended Claim 1.

Therefore, neither *Fey*, *Boushy* or *Takatoshi* disclose, teach or suggest the invention of amended Claim 1. For these reasons, amended Claim 1 and Claims 2 to 12, which depend from amended Claim 1, are each patentably distinguished over each of *Fey*, *Boushy* and *Takatoshi* and in condition for allowance.

Additionally, Claim 2 was rejected under 35 U.S.C. § 103(a). Since Claim 2 depends from amended Claim 1. Applicants respectfully submit that Claim 2 is allowable for at least the reasons set forth above with respect to amended Claim 1 and because neither the combination of *Boushy* and *Wells* nor the combination of *Fey* and *Wells* disclose, teach or suggest the combination of elements of Claim 2 including the elements of amended Claim 1.

Claim 13 was amended to include the elements of dependent Claim 15 and objected to Claim 16. It is respectfully submitted that amended Claim 13 and Claims 14, 17, 18 and 19, which depend from amended Claim 13, are in condition for allowance.

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Amended Claim 22 is directed to a gaming device including a cabinet and a support connected to the cabinet. The support defines at least one channel which is adapted to receive a combined container-item holder. The combined container-item holder includes a container holder and an item holder connected to the container holder. The item holder includes a securing member adapted to securely and removably hold an item of a player. As discussed above, the word "combined" has been inserted in front of the phrase "container-item holder" to clarify that the container-item holder includes *both* a container-item holder and an item holder to hold a container and item of a player. It is respectfully submitted that amended Claim 22 is patentably distinguished over *Takatoshi* for the reasons provided above because *Takatoshi* does not disclose, teach or suggest the combination of elements of amended Claim 22.

More, specifically, *Takatoshi* does not disclose, teach or suggest a support which defines a channel wherein the channel is adapted to receive a combined container-item holder. *Takatoshi* also does not disclose, teach or suggest a combined container-item holder that includes a container holder and an item holder connected to the container holder, wherein the item holder includes a securing member adapted to securely and removably hold an item of a player. For at least these reasons, amended Claim 22 and Claims 23 to 25, which depend from Claim 22, are each patentably distinguished over *Takatoshi*.

Claim 23 was rejected under 35 U.S.C. § 103(a). Since Claim 23 depends from amended Claim 22, Applicants respectfully submit that Claim 23 is allowable for at least the reasons set forth above with respect to amended Claim 22 and because neither of

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the combinations of *Boushy* and *Wells* nor *Fey* and *Wells* disclose, teach or suggest the combination of elements of Claim 23 including the elements of amended Claim 22.

Claims 26 to 50 are newly added. New Claim 26 includes the elements of Claim 1, dependent Claim 4 and objected to Claim 8. Therefore, it is respectfully submitted that new Claim 26 and new Claims 27 to 35, which depend from new Claim 26, are in condition for allowance.

New Claim 36 includes the elements of Claim 13, dependent Claim 15 and objected to Claim 17. Therefore, it is respectfully submitted that new Claim 36 and new Claims 37 to 40, which depend from new Claim 36, are in condition for allowance.

Claim 41 includes the elements of Claim 1, dependent Claim 4 and objected to Claim 6. Therefore, it is respectfully submitted that new Claim 41 is in condition for allowance.

New Claim 42 is directed to a combined container-item holder for a gaming device including a container holding portion and an item holding portion. The container holding portion is adapted to be mounted to the support and includes a base and a body extending from the base. The base and body define a chamber for receiving and holding a container. Additionally, the item holding portion is connected to the container holding portion and includes a securing member adapted to securely and removably hold an item of a player. As described above, none of the references cited in the Office Action disclose, teach or suggest the combination of the elements of new Claim 42. Specifically, the cited references do not disclose, teach or suggest a combined container-item holder having a container holding portion and an item holding portion connected to the container holding portion where the item holding portion includes a

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securing member adapted to securely and removably hold an item of a player. Therefore, new Claim 42 and new Claims 43 to 48, which depend from new Claim 42, are each patentably distinguished over the references cited in the Office Action.

New Claim 49 is directed to a combined container-item holder for a gaming device including a container holding portion and an item holding portion *rotatably* connected to the container holding portion. The container holding portion is adapted to be mounted to a support and includes a base and a body extending from the base. The base and body define a chamber for receiving and holding a container. The item holding portion includes a securing member adapted to securely and removably hold an item of a player. As described above, none of the references cited in the Office Action disclose, teach or suggest a combined container-item holder including a container holding portion and an item holding portion *rotatably* connected to the container holding portion. Therefore, new Claim 49 is patentably distinguished over the references cited in the Office Action.

New Claim 50 is directed to a combined container-item holder for a gaming device including a containing holder portion and an item holding portion *fixedly* connected to the container holding portion. Claim 50 is similar to new Claim 49 except that the item holding portion is fixedly connected to the container holding portion. As described above, none of the references cited in the Office Action disclose, teach or suggest a combined container-item holder including a container holding portion and an item holding portion where the item holding portion is fixedly connected to the container holding portion. Therefore, new Claim 50 is patentably distinguished over the references cited in the Office Action.

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Newly added Claim 51 is directed to a gaming device and includes similar elements to new Claim 36. Therefore, for at least the reasons provided above, new Claim 51 is patentably distinguished over the references cited in the Office Action.

Newly added Claim 52 is directed to a gaming device including a cabinet, a support connected to the cabinet and a combined container-item holder. The combined container-item holder includes a container holder and an item holder connected to the container holder, wherein the item holder includes a connecting portion for connecting the item holder to the container holder, and a securing portion adapted to securely and removably hold an item of a player. None of the references cited in the Office Action disclose, teach or suggest a combined container-item holder including a container item holder and an item holder. The cited references also do not disclose, teach or suggest an item holder of a combined container-item holder, which includes a connecting portion and a securing portion. For at least these reasons, new Claim 52 is patentably distinguished over the references cited in the Office Action.

Newly added Claim 53 is directed to a combined container-item holder for a gaming device and includes similar elements to new Claim 52. Therefore for at least the reasons provided above, new Claim 53 is patentably distinguished over the references cited in the Office Action.

Attached hereto is a marked up version of the changes made to the claims by the present Response. The attached page is captioned **"Version with markings to show changes made"**.

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An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the Applicants' attorney, Adam Masia, at (312) 807-4284 to discuss this Response.

Respectfully submitted,

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By

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claim 1 has been amended as follows:

1. (Amended) A gaming device comprising:

a cabinet;

a support connected to the cabinet; and

a combined container-item holder connected to the support, wherein said combined container-item holder includes a container holder and an item holder connected to the container holder, and wherein said item holder includes means for enabling a player to securely and removably connect an item to the item holder.

Claim 13 has been amended as follows:

13. (Amended) A combined container-item holder for a gaming device including a cabinet and a support connected to the cabinet, said combined container-item holder comprising:

a container holding portion adapted to be mounted to the support, said container holding portion including a base and a body extending from the base, wherein said base and body define a chamber for receiving and holding a container, and wherein the base defines at least one opening to enable fluid to drain from the chamber;  
and

an item holding portion connected to the container holding portion, said item holding portion including a securing member adapted to securely and removably hold an item of a player.

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Claim 15 has been cancelled without prejudice or disclaimer.

Claim 16 has been cancelled without prejudice or disclaimer.

Claim 17 has been amended as follows:

17. (Amended) The container-item holder of Claim 13, wherein the body includes a flange which has a circumference greater than a circumference of a channel in the support adapted to receive the body.

Claim 22 has been amended as follows:

22. (Amended) A gaming device comprising:

a cabinet; and

a support connected to the cabinet which defines at least one channel within the support which is adapted to receive a combined container-item holder, wherein said combined container-item holder includes a container holder and an item holder connected to the container holder, wherein said item holder includes a securing member adapted to securely and removably hold an item of a player.

New Claims 26 to 53 have been added.